

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – November 7, 2008
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:00 a.m. and adjourned at 10:25 a.m.

A. ROLL CALL

Commissioners Present: Beck, Day, Kreitzer, Pallinger

Commissioners Absent: Brooks, Riess, Woods

Advisors Present: Brazell, Goralka, Shick (DPW); Mehnert, Taylor (OCC)

Staff Present: Baca, Beddow, Bennett, Farace, Gibson, Giffen, Gonzales, Grunow, Hingtgen, Johnston, Maxson, Murphy, Russell, Steven, Taylor, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of October 31, 2008

Action: Beck – Pallinger

Due to the absence of Chairman Riess and Vice-Chairman Woods, David Kreitzer will serve as Planning Commission Chairman Pro Tem during today's meeting.

Ayes: 4 - Beck, Day, Kreitzer, Pallinger
Noes: 0 - None
Abstain: 0 - None
Absent: 3 - Brooks, Riess, Woods

Action: Beck - Day

Approve the Minutes of October 31, 2008.

Ayes: 4 - Beck, Day, Kreitzer, Pallinger
Noes: 0 - None
Abstain: 0 - None
Absent: 3 - Brooks, Riess, Woods

Administrative:

- C. **Public Communication:** Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

None.

- D. **Announcement of Handout Materials Related to Today's Agenda Items**

- E. **Requests for Continuance**

- F. **Formation of Consent Calendar**

P03-004, Agenda Item 1:

1. Casa de Amparo, Major Use Permit P03-004, North County Metropolitan Subregional Plan Area

Proposed development of a Group Care Facility on an 11.43-acre site located on the south side of Buena Creek Road, approximately 1,000 feet west of Twin Oaks Valley Road. The facility will include a Temporary Shelter and Child Development Center for children ages birth to 18 years of age. The site is subject to the Estate Development Area (EDA) Regional Category and the (17) Estate Residential Land Use Designation, and is zoned Limited Agriculture (A70).

Staff Presentation: Gonzales

Proponents: 0; **Opponents:** 3

Discussion:

Staff requests postponement of today's hearing to analyze the potential impacts of recently received information provided by the applicant, regarding State of California visitation requirements. The applicant voices opposition to the requested continuance, and insists that the State requirements will not result in a significant increase in traffic.

Action: Day – Beck

Continue consideration of Major Use Permit P03-004 to the meeting of December 5, 2008. It is recommended that the applicant meet with Staff as quickly as possible to resolve any potential impacts resulting from compliance with the State of California's requirements. In addition, Staff is to ensure that all interested parties receive any new information pertaining to this issue.

Ayes:	4 -	Beck, Day, Kreitzer, Pallinger
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Riess, Woods

P00-006W², Agenda Item 2:

2. Shady Grove, Major Use Permit Modification P00-006W², Fallbrook Community Plan Area

Proposed Major Use Permit Modification to revise the architectural design and floor plans of previously approved but unbuilt residences. Three new home types (1690, 1997 and 2275 square feet) would be added to the previously approved six home types and would apply to Lots 47-107 of the approved Tentative Map, TM 5195RPL³. The project site is located at the intersection of Gum Tree Lane and Stagecoach Lane in the Fallbrook Community Plan Area. The site is subject to the Country Town (CT) General Plan Regional Category and the (3) Residential Land Use Designation. Current zoning is RR2, Rural Residential.

Staff Presentation: Gonzales

Proponents: 0; **Opponents:** 4

Discussion:

Due to scheduling conflicts, the applicant's representative has requested postponement of today's hearing.

Action: Beck – Day

Continue consideration of Major Use Permit Modification P00-006W² to the meeting of December 5, 2008.

Ayes:	4 -	Beck, Day, Kreitzer, Pallinger
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Riess, Woods

P05-022, Agenda Item 3:

3. Engineer Springs Wireless Telecommunication Facility, Major Use Permit P05-022, Jamul-Dulzura Community Plan Area

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility at 1654 Arnoldo Road. The facility includes a 35' tall mono-broadleaf tree onto which 12 panel antennas and 3 omni-whip antennas will be mounted. Associated equipment will be enclosed by a 10' tall concrete masonry unit equipment shelter. The project will occupy 650 square-feet of the 16.42-acre parcel. The site is zoned A72 (General Agriculture), and is subject to the Regional Land Use Element Policy 1.4, Rural Development Area (RDA) and the (18) Multiple Rural Use General Plan Land Use Designations.

Staff Presentation: Johnston

Proponents: 1; **Opponents:** 0

Discussion:

Prior to approving this Item and Item 4 on consent, Commissioner Day requests that Staff provide a report to the Commission on streamlining the wireless application process to ensure that the Planning Commission has final jurisdiction.

Action: Day – Beck

Grant Major Use Permit P05-022, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	4 -	Beck, Day, Kreitzer, Pallinger
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Riess, Woods

P06-095, Agenda Item 4:

4. Santa Ysabel Wireless Telecommunication Facility, Major Use Permit P06-095, North Mountain Subregional Planning Area

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility at 29313 State Route 78. The facility includes a 50' tall mono-broadleaf tree onto which 36 panel antennas will be mounted; including 12 each for AT&T, Verizon, and T-Mobile. Associated equipment will be enclosed in three, 10' tall Concrete Masonry Unit (CMU) equipment shelters, surrounded by a 6' tall chain link fence and landscaping for screening. The project will occupy 2,223 square-feet of the 87-acre parcel. The project site is subject to the Regional Land Use Element Policy 1.6, Environmentally Constrained Area (ECA) and (20) General Agriculture Land Use Designation.

Staff Presentation: Johnston

Proponents: 1; **Opponents:** 0

Discussion:

This Item is approved on consent.

Action: Day – Beck

Grant Major Use Permit P06-095, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	4 -	Beck, Day, Kreitzer, Pallinger
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Riess, Woods

POD 08-005, Agenda Item 5:

5. Proposed Zoning Ordinance Amendment, POD 08-005, Second Dwelling Units, Accessory Apartments, Countywide

Proposed amendment to the San Diego County Zoning Ordinance to simplify the various accessory dwelling types. Zoning Ordinance Section 6156 identifies four types of accessory dwellings: Second Dwelling Units, Accessory Apartments, Accessory Living Quarters and Guest Living Quarters. DPLU is proposing to reduce the number of accessory units into two types: Second Dwelling Units and Guest Living Quarters, and proposing changes to the limitations on said units.

Staff Presentation: Steven

Proponents: 0; **Opponents:** 0

Discussion:

Commissioner Beck requests that this Item be continued to allow additional review of Staff's recommendations.

Action: Day – Beck

Postpone consideration of POD 08-005 to the meeting of December 5, 2008.

Ayes:	5 -	Beck, Day, Kreitzer, Pallinger
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Riess, Woods

TM 5511RPL³ & S07-019, Agenda Item 6:

6. KRS Development, Tentative Map (TM) 5511RPL³ and Site Plan S07-019, Borrego Springs Community Plan Area

Request for a Vesting Tentative Map to subdivide a 50.69-acre property into 17 single-family residential lots of at least 2 acres in size each, along with one 11.6 acre commercial lot. The project site is located west of Hoberg Road and north of Palm Canyon Drive, abutting the Anza-Borrego Desert State Park. No extension of sewer or water utilities will be required by the project, and no development is currently proposed for the commercially zoned lot. Such development will be required to be approved under a subsequent Site Plan permit.

Staff Presentation: Taylor

Proponents: 1; **Opponents:** 0

Discussion:

The Planning Commissioners are pleased to note that the applicant project is required to purchase water use rights to ensure no net loss to the water table.

Commissioner Beck discusses the Desert Subregional Plan Text, which stipulates that growth is desirable in Borrego Springs to assure an adequate tax base for needed public services. He believes this statement should either be refined so that it addresses specific projects or be removed from the Plan because as it currently stands, it adds nothing to any land-use decisions and is not justifiable.

Action: Day – Pallinger

Staff is to review the Desert Subregional Plan Text and revise as necessary, particularly as it relates to the intent to support growth in Borrego Springs to assure an adequate tax base.

Ayes:	4 -	Beck, Day, Kreitzer, Pallinger
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Riess, Woods

TM 5511RPL³ & S07-019, Agenda Item 6:

Though supportive of Staff's recommendation for approval of the project, the applicant voices concerns about some of the requirements he must meet, namely (1) participating with other developers in designing, constructing, staffing and equipping a new fire station; and (2) providing a flow easement over the entire property. Regarding the fire station, the applicant clarifies that as written, each separate subdivider is completely responsible for the fire station, which would be financially onerous. He initially received confirmation of fire-service availability from the local fire district; however, fire district representatives have very recently indicated that service availability is questionable. The applicant believes his project will greatly benefit the community and make many improvements, and insists it's extremely unfair that he runs the risk of being unable to obtain Final Map approval if the fire station is not constructed, staffed and equipped. He requests that today's hearing be postponed to resolve both this requirement, as well as the requirement pertaining to the flow easement.

Staff clarifies that the fire station is needed to offset a service deficiency with respect to cumulative impacts and fire response time due to anticipated growth, especially with regard emergency medical services, and the project cannot be approved without this Condition. It is believed that including this requirement in the vesting Tentative Maps will encourage developers to work together, rather than run the risk of individually having to shoulder responsibilities for the fire station, but the Planning Commissioners remain dissatisfied with this requirement, particularly since the applicant is only requesting approval of a Tentative Map.

With respect to the flow easement, the applicant insists this requirement is completely unnecessary and requests that it be removed. He reminds the Commission that he is already required to not cause any net loss to the water table, and any water extracted from the water table by this project will be offset by the purchase of fallowed land. The Commission questions whether the requirement for the easement has been reconciled with the goals of the water district, and Staff explains that DPLU representatives are collaborating with water district representatives on the final language.

TM 5511RPL³ & S07-019, Agenda Item 6:

Action: Day – Pallinger

Continue consideration of TM 5511RPL³/S07-019 to the meeting of January 9, 2009, to allow further review of conditions pertaining to requirements for that a fire station be provided and that a flow easement across the applicant's property be recorded.

Ayes:	4 -	Beck, Day, Kreitzer, Pallinger
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Riess, Woods

Administrative:

Administrative Agenda Items

G. Director's Report

- **Results from Board of Supervisors' Hearing(s) of Items Previously Considered by the Planning Commission (Gibson)**

No Board of Supervisors meetings were held since the Planning Commission's October 31, 2008 meeting.

H. Report on actions of Planning Commission's Subcommittees.

None.

I. Upcoming Board of Supervisors Agenda items and Designation of member to represent Commission at Board of Supervisors.

None.

J. Discussion of correspondence received by Planning Commission.

None.

K. Scheduled Meetings.

November 21, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 5, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 19, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
January 9, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
January 23, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
February 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
February 27, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

Administrative:

March 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
March 27, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 10, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 24, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 8, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 22, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 5, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 10, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 24, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 7, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 21, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 2, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 16, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 30, 2009	Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room
November 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 18, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

Administrative:

There being no further business to be considered at this time, the Chairman adjourned the meeting at p.m. to 9:00 a.m. on November 21, 2008 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.